



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

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GENERAL
COMPLIANCE
(2004)

Harrison Merrill, President
Merrill Mining, LLC
975 Johnson Ferry Road, Suite 450
Atlanta, GA 30342

Re: Proposed Cessation of Hydraulic Control for EPA UIC Permit AZ39600001

Dear Mr. Merrill,

We are in receipt of your request to discontinue the hydraulic control at the Florence Copper solution mining facility covered under EPA UIC Permit AZ39600001. The request to discontinue hydraulic control is approved for a period not to exceed ninety (90) days. At the end of the ninety (90) days, water samples must be taken and analyzed in accordance with permit requirements. The results of this sampling, especially the results for sulfate, shall be provided to EPA for review.

Background and Next Steps

EPA issued Class III permit to BHP (EPA Permit 397000001) for the solution mining of copper in Florence, Arizona on June 1, 1997. A permit modification was issued for the transfer of this permit to Merrill Mining on December 5, 2001. Part II Section I (1) of EPA Permit 397000001 discusses the process for closure of operations in a mining block. After the ninety (90) days period of cessation of hydraulic control, EPA will review the sulfate concentrations to determine if they are below the zone's indicator sulfate concentrations. If EPA accepts that the results are below the indicator concentrations, Merrill Mining may request to initiate cementing the wells pursuant to the Well and Corehole Abandonment Plan in Appendix C of the permit. If EPA determines that the sample results after ninety (90) days are above indicator concentrations, Merrill Mining will be advised of any additional requirements including resuming hydraulic control and additional sampling.

If there any questions related to this approval, feel free to contact me at (415) 972-3543 or email me at zeleznik.martin@epa.gov.

Sincerely,

 AUG 25, 04

Martin Zeleznik, Project Officer
Groundwater Office (WTR-9)

cc: Barry Rechterovich, ADEQ
Jarrel Southall, Brown and Caldwell